

11-21-01

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**UTILITY PATENT APPLICATION TRANSMITTAL  
(Large Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.

POU920010159US1

Total Pages in this Submission

**TO THE ASSISTANT COMMISSIONER FOR PATENTS**

Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**IMPROVING COMMUNICATION EFFICIENCY AND PERFORMANCE IN AN  
UNRELIABLE COMMUNICATION ENVIRONMENT**

and invented by:

BADOVINATZ et al.

**ASSIGNEE NAME: INTERNATIONAL BUSINESS MACHINES CORPORATION  
ASSIGNEE RESIDENCE: ARMONK, NEW YORK**

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

Continuation    Divisional    Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

Continuation    Divisional    Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

Continuation    Divisional    Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

**Application Elements**

1.  Filing fee as calculated and transmitted as described below
2.  Specification having 16 pages and including the following:

- a.  Descriptive Title of the Invention
- b.  Cross References to Related Applications (*if applicable*)
- c.  Statement Regarding Federally-sponsored Research/Development (*if applicable*)
- d.  Reference to Microfiche Appendix (*if applicable*)
- e.  Background of the Invention
- f.  Brief Summary of the Invention
- g.  Brief Description of the Drawings (*if drawings filed*)
- h.  Detailed Description
- i.  Claim(s) as Classified Below
- j.  Abstract of the Disclosure

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**Application Elements (Continued)**

3.  Drawing(s) (*when necessary as prescribed by 35 USC 113*)

- a.  Formal Number of Sheets \_\_\_\_\_  
b.  Informal Number of Sheets 3

4.  Oath or Declaration

- a.  Newly executed (*original or copy*)  Unexecuted  
b.  Copy from a prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)  
c.  With Power of Attorney  Without Power of Attorney  
d.  **DELETION OF INVENTOR(S)**

Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).

5.  Incorporation By Reference (*usable if Box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied  
under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby  
incorporated by reference therein.

6.  Computer Program in Microfiche (*Appendix*)

7.  Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all must be included*)

- a.  Paper Copy  
b.  Computer Readable Copy (*identical to computer copy*)  
c.  Statement Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

8.  Assignment Papers (*cover sheet & document(s)*)

9.  37 CFR 3.73(B) Statement (*when there is an assignee*)

10.  English Translation Document (*if applicable*)

11.  Information Disclosure Statement/PTO-1449  Copies of IDS Citations

12.  Preliminary Amendment

13.  Acknowledgment postcard

14.  Certificate of Mailing

First Class  Express Mail (*Specify Label No.:*) ET089965539US

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**Accompanying Application Parts (Continued)**

15.  Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
16.  Additional Enclosures (*please identify below*):

**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

17.  Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

*An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.*

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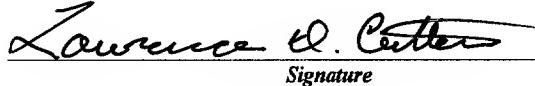
Total Pages in this Submission

**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

| For   | #Filed                   | #Allowed | #Extra | Rate      | Fee                              |
|---|--------------------------|----------|--------|-----------|----------------------------------|
| Total Claims                                    | 7                        | - 20 =   | 0      | x \$18.00 | \$0.00                           |
| Indep. Claims                                   | 2                        | - 3 =    | 0      | x \$84.00 | \$0.00                           |
| Multiple Dependent Claims (check if applicable) | <input type="checkbox"/> |          |        |           |                                  |
|   |                          |          |        |           | <b>BASIC FEE</b> \$740.00        |
| OTHER FEE (specify purpose)                     |                          |          |        |           |                                  |
|   |                          |          |        |           | <b>TOTAL FILING FEE</b> \$740.00 |

- A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge and credit Deposit Account No. **09-0463** as described below. A duplicate copy of this sheet is enclosed.
- Charge the amount of **\$740.00** as filing fee.
- Credit any overpayment.
- Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

  
\_\_\_\_\_  
*Lawrence D. Cutter*

*Signature*

Dated: *Nov. 6, 2001*

Lawrence D. Cutter, Sr. Attorney  
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(845) 433-1172

cc:

Docket Number: POU920010159US1

IMPROVING COMMUNICATION EFFICIENCY  
AND PERFORMANCE IN AN UNRELIABLE  
COMMUNICATION ENVIRONMENT

APPLICATION FOR  
UNITED STATES LETTERS PATENT

"Express Mail" Mailing Label No.: ET089965539US

Date of Deposit: November 6, 2001

I hereby certify that this paper is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

Name: Susan L. Phelps

Signature: 

INTERNATIONAL BUSINESS MACHINES CORPORATION